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In re Application of :  
Lefevre :  
Serial No.: 10/522,429 : DECISION ON  
PCT No.: PCT/FR03/50019 : PETITION  
Int. Filing Date: 21 July 2003 : UNDER 37 CFR 1.137(b)  
Priority Date: 24 July 2002 :  
Attorney's Docket No.: NY-GRYN 213-US :  
For: METHOD AND SYSTEM ENABLING :  
REAL TIME MIXING OF SYNTHETIC IMAGES :  
AND VIDEO IMAGES BY A USER :  
:

This decision is responsive to the "PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)" filed 25 JAN 2005.

**BACKGROUND**

On 21 July 2003, applicants filed international application PCT/FR03/50019, which claimed priority of an earlier French application filed 24 July 2002. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 05 February 2004. Accordingly, the thirty-month period for paying the basic national fee for the national stage in the United States expired at midnight on 24 January 2005.

On 25 January 2005, applicants filed the current petition along with a transmittal letter for entry into the national stage in the United States. The transmittal letter was accompanied by, *inter alia*, a petition to revive, authorization to charge the deposit account for the fee for the petition to revive, the signed declaration and authorization to charge the deposit account for the basic national fee. These papers were assigned Application No. 10/522,429.

### DISCUSSION

A petition under 37 CFR 1.137(b) requesting that the application be revived on the grounds of unintentional delay must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied (1) by a statement that the "entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional," (2) by a proper reply, (3) by the petition fee required by law (37 CFR 1.17(m)), and (4) if the international filing date of the application is before June 8, 1995, any petition to revive under 37 CFR 1.137(b) must be accompanied by a terminal disclaimer and small entity fee of \$55

Applicants have provided the required statement, a proper reply and the petition fee. Therefore, the petition to revive is **GRANTED**.

### CONCLUSION

The petition to revive the application abandoned under 35 U.S.C. 371(d) is **GRANTED** as to the National Stage in the United States of America.

This application is being forwarded to the national stage office for preparation of a "NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 OR 1.495" (Form PCT/DO/EO/903) showing a 35 U.S.C. 371 date of **25 January 2005**.



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